



Environmental Protection Agency

2200 Churchill Road, Springfield, Illinois 62706

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October 16, 1980

US EPA RECORDS CENTER REGION 5



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ILL. E.P.A. - D.E.P.C.
STATE OF ILLINOIS

Honorable George M. O'Brien
U.S. Representative
2439 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative O'Brien:

Thank you for your recent letter expressing concern on behalf of your constituents regarding Union Oil Company's land application of sludge on their farm near Lockport.

EPA staff members have visited the area in DuPage Township several times as a result of complaints of suspected hazardous waste disposal. On August 8, 1980, a sludge sample from a storm basin that had been deposited in a Union Oil Company farm field was collected and submitted for analysis of organic content (with emphasis on benzene content) at the Illinois Environmental Protection Agency Springfield laboratory. The report from the gas chromatograph/mass spectrometer analyses shows that the material being applied to the land contains 40,000 µg/g #2 diesel oil. In general, one of the hydrocarbons found in fuel oil is benzene, and it would be expected that at least traces of this material would be present in a sample containing fuel oil. The sample was representative of the class and contained traces of benzene, toluene and xylene in the airspace of the sample bottle. In the closed environment of a sample container, a gas chromatograph/mass spectrometer test result of about 20 ppm of benzene in the air space is minimal. In the sludge itself, the presence of benzene was below detection limits. Based on these results, we do not believe that the citizens in the area are in danger of any ill effects from benzene. In addition, other types of hydrocarbons that commonly occur in gasoline and fuel oil were present -- 400 µg/g of cyclohexanes and 2,000 µg/g of other aliphatic hydrocarbons.

The determination of hazardous waste lies within the definitions provided in the USEPA regulations under the Resource Conservation and Recovery Act which will be effective on November 19, 1980, and the Illinois regulations which are, for the most part, parallel to the federal requirements. These regulations do not define fuel oil as a hazardous waste. However, some byproducts of the refining process are so classified. Until it can be determined exactly what refinery processes are represented by the waste being disposed of at the farming site, the need for regulation cannot be established because a permit is not required for disposal of nonhazardous waste on private property.

This matter is complicated by heavy metals test discrepancies. There must be additional samples taken and further tests run. EPA field staff will visit the site, collect samples and discuss the processes with Union Oil Company personnel in the near future. If the need for a permit is established, the Agency will take whatever steps are necessary to insure that the site is maintained in accordance with all of the applicable environmental regulations. The requirement for further testing was reported to Mr. Patterson, one of your constituents, who had contacted us about the situation.

No doubt your constituents are aware of the many recent press reports of abandoned waste sites, derailments and accidents involving suspected hazardous waste or toxic substances. As a result, the workload in the Agency laboratory where the techniques, specialized personnel and high technology equipment is available has increased significantly. Although the organics laboratory operates on two shifts, the workload exceeds the capacity of our equipment. We are hopeful that the State's second gas chromatograph/mass spectrometer that is now in the procurement process will relieve the pressure of the increased workload.

I hope the above information will be useful to you. If I may be of further assistance, please let me know.

Sincerely,

MICHAEL P. MAUZY

Michael P. Mauzy
Director

MPM:RD:jb/0993H/1-2

bc: Ken Becheley ✓
Bill Child